

**HORICON TOWN BOARD  
REGULAR MEETING OF THE BOARD**

**AUGUST 18, 2011  
7:00 PM**

Present at meeting	Ralph Bentley	Supervisor
	Frank Hill	Councilman
	Kenneth Higgins	Councilman
	Robert Olson	Councilman
	Joseph Dooris	Councilman
Krista Wood	Town Clerk	

Also: HS Paul Smith, Dianna Bentley, Matt Simpson, Bill McGhie, Tom Johansen, Jane Smith, Edna Trumble, Sandy Smith, Harry Balz, ZA Gary McMeekin, Harvey Leidy, Jason Hill, Paul Frasco, June Maxam, Abe Gadjo, Bob & Sylvia Smith, Don Lewis.

Supervisor Bentley called the meeting to order at 7:00 PM.

**Approval of Minutes:** Minutes of July 21, 2011 were approved by Motion of Messrs. Hill and Higgins, all Ayes.

**Approval of Abstracts:**  
**RESOLUTION #113-2011**

Messrs. Olson and Hill introduced Res. No. 113 and moved its adoption, all Ayes:

**RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS**

RESOLVED, that the Town Board does hereby authorize the payment of the August 2011 Vouchers and Abstracts as follows:

General Vouchers	#209-246	\$ 38,591.80
Highway Vouchers	#125-140	\$ 61,840.80
General Abstracts	21 & 22	\$ 17,782.50
Highway Abstracts	21 & 22	\$ 17,679.04

**Correspondence to the Board:**

- Lk Champlain/Lk George Reg Planning Bd	RE: 2011-12 Comprehensive Econ. Dev. Project List
- Michael & Janet Martone	RE: Letter commending Lifeguard Tim O'Neil
- Jim Lieberum-WCSWCD	RE: FEMA Hazard Mitigation Assistance Program

**Resolutions:**  
**RESOLUTION #114-2011**

Messrs. Hill and Higgins introduced Res. No. 114 and moved its adoption, all Ayes:

**RESOLUTION TO RE-APPOINT HARRY KATSCH TO THE BOARD OF ASSESSMENT REVIEW**

RESOLVED, that the Town Board of the Town of Horicon does hereby re-appoint Harry Katsch to a new term on the Horicon Board of Assessment Review. The new term is to run from October 1, 2011 through September 30, 2016.

**RESOLUTION #115-2011**

Messrs. Olson and Dooris introduced Res. No. 115 and moved its adoption, all Ayes:

**RESOLUTION TO APPOINT MICHAEL ERICKSON AS ALTERNATE TO THE BOARD OF ETHICS**

RESOLVED, that the Town Board of the Town of Horicon does hereby appoint Michael Erickson as alternate to the Town of Horicon Board of Ethics for a term that will expire on

December 31, 2011.

**RESOLUTION #116-2011**

The Horicon Town Board introduced Res. No. 116 and moved its adoption, all Ayes:

**RESOLUTION OF APPRECIATION TO JOAN JOHNSON AND PASTOR KEVIN RADFORD**

WHEREAS, for many years, the Horicon Fire Company planned and held a Fourth of July celebration complete with games and fireworks display, and

WHEREAS, this celebration has been re-established on the first Saturday in August as Horicon Day, and

WHEREAS, the Town of Horicon Town Board is desirous of continuing this tradition, and

WHEREAS, a committee was formed and funding was appropriated for such a celebration, and

WHEREAS, after many volunteers spent hours during the year planning and making this happen, and

WHEREAS, two of these volunteers, Joan Johnson and Pastor Kevin Radford, of the Horicon Baptist Church, are to be singled out for all the time and effort they put forth in planning and organizing the activities of these many volunteers, now, therefore be it

RESOLVED, that the Town Board of the Town of Horicon does hereby wish to express their gratitude to Joan Johnson and Pastor Kevin Radford for making Horicon Day an overwhelming success, and BE IT FURTHER

RESOLVED, that a copy of this Resolution be sent to Joan Johnson and Pastor Kevin Radford.

**Old Business:**

Quote for Cemetery Signs: A quote has been received from Adirondack Highway Materials for signs for the cemeteries.

**RESOLUTION #117-2011**

Messrs. Higgins and Hill introduced Res. No. 117 and moved its adoption, all Ayes:

**RESOLUTION TO PURCHASE SIGNS FOR THE CEMETERIES**

RESOLVED, that the Horicon Town Board does hereby authorize the purchase of signs for the Town of Horicon cemeteries as quoted by Adirondack Highway Materials plus posts. The following signs are to be ordered:

- 1-Brant Lake Elbow Cemetery, 2-North Brant Lake Cemetery, 3-Underwood Cemetery,
- 4-Adirondack Millbrook Cemetery, 5-South Horicon Cemetery, 6-Frasier Cemetery,
- 7-Entrance, and 8- Exit

Further discussion ensued regarding Cemeteries. Councilman Olson addressed the need to set a new price for foundations that are used for headstones. He said that the Cemetery Custodian had suggested charging time and materials instead of charging a set price. The Board will take this into consideration. While already on the subject, Councilman Hill addressed the Board regarding some other issues that have come up. He stated that he had met with Councilman Dooris and Cemetery Custodian Terry Peters and discussed several issues that need to be addressed. Among the things that were discussed were the selling of lots that had not been surveyed, the proximity of lots to access roads, transfer of deeds and the need to record any transfers with the Town, number of cremations that are allowed per lot, and the cut-off dates for burials and whether the cemetery should be closed for the winter, among other things. Councilman Hill told the Board that it would be a good idea to set

a workshop meeting to discuss some of these things and get some rules and regulations in place. Supervisor Bentley suggested doing this at the Budget Workshop meeting, and the Board agreed.

*Assistant Zoning Administrator:* The Board had advertised previously for anyone interested in the Assistant Zoning Administrator position. The Zoning Committee has interviewed the applicants and recommends James Steen be appointed based on his experience. The Board discussed the pay rate and decided the pay rate for Assistant Zoning Administrator would be \$20.00 per hour worked plus mileage. Councilman Olson clarified that there are no benefits included. The following Resolution was made:

**RESOLUTION #118-2011**

Messrs. Olson and Higgins introduced Res. No. 118 and moved its adoption, all Ayes:

**RESOLUTION TO APPOINT JAMES STEEN AS ASSISTANT ZONING ADMINISTRATOR**

RESOLVED, that after reviewing the applications received for the position of Assistant Zoning Administrator, the Town Board does hereby appoint James Steen to the position. Mr. Steen will be paid at the rate of \$20.00 per hour worked plus mileage.

*ZBA Alternate seat:* Upon the resignation of Dan Smith as Zoning Board of Appeals alternate the Board advertised for anyone interested in serving as alternate. After a brief discussion the following Resolution was made:

**RESOLUTION #119-2011**

Messrs. Olson and Dooris introduced Res. No. 119 and moved its adoption, all Ayes:

**RESOLUTION TO APPOINT ZONING BOARD OF APPEALS ALTERNATE**

WHEREAS, the Town Board, due to the resignation of Dan Smith, advertised for an interested person to fill the seat of Zoning Board of Appeals Alternate, now, therefore be it RESOLVED, that the Town Board of the Town of Horicon does hereby appoint Carl Heilman to fill the vacant seat of Zoning Board of Appeals Alternate effective immediately.

*Pumpkin Hollow Road:* Supervisor Bentley advised the Board that the survey maps had been received that morning and one section of the map is incorrect. He stated that the map needed to be altered where it crossed the Robbins property. Abe Gadjo asked what steps need to be taken now. He was advised that once the maps are corrected they will be forwarded to the landowners for review. Abe Gadjo asked if this is an indication that the Town plans on re-claiming the road. Councilman Olson responded that this is one of the steps that needs to happen and since the Town is expending funds on this they are moving in a positive direction and should be taken as such from Abe's perspective. Councilman Dooris also reiterated the need to obtain the easements from the other landowners before they can move forward. Abe Gadjo stated that he is just concerned that after going through all of this it is not going to amount to anything. He indicates that he wants the Town to maintain at least the first 300 feet. He also states that in terms of the rest of the road, the Town should open the road to a three rod right-of-way and Supervisor Bentley stated that they are attempting to obtain the three rod (49') right-of-way. Abe Gadjo asked for a timeline on this and Supervisor Bentley stated that it would hopefully be done before this winter. Councilman Olson agreed with Supervisor Bentley but said there could be some bumps in the road. Councilman Higgins stated that the big issue would be the cost and that would be the determining factor. Supervisor Bentley stated that he had a quote of \$6,600.00 for 3/10 mile using 6" of gravel at

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fifteen feet wide. Councilman Hill asked if that would be in violation of the Town's own Zoning Ordinance. He pointed out that if someone comes in for a Subdivision they are told they must have a fifty foot right-of-way with ditches and other things. Councilman Olson states that if they choose to waive the Town standards that would be one option, but he would not necessarily be in favor of that. Councilman Hill states that he is not in favor of waiving the requirements because others have been given a hard time over these standards in the past. HS Smith said he figured a cost of \$8,000, just for materials, if they went 20 feet wide for 3/10 mile with gravel 6" deep at current prices. Councilman Olson said he would feel more comfortable going 20 feet wide and with the price HS Smith quoted feels like this would be feasible. Councilman Hill said that the labor cost of the highway crew should be figured in along with the cost of materials. Councilman Olson stated that the numbers being presented do not make him want to back away from this. Councilman Hill states they should make that decision once they have more information. Supervisor Bentley stated that he feels it is certainly do-able.

On another note, but along similar lines, Edna Trumble raised the issue with Grasshopper Hill Road. She states that a property owner along Grasshopper Hill Road is blocking the road and there is much concern there. Supervisor Bentley said that when this issue came up last year the previous owner was advised that this is a Qualified Abandoned road and it cannot be blocked. The Board will have Town Counsel send a letter to the new owner advising that they cannot block Grasshopper Hill road.

*Zoning update on Brownell septic:* Zoning Administrator McMeekin recommended to the Board that they authorize Town Counsel to file a Stipulation of Discontinuance in regards to the Brownell septic matter.

**RESOLUTION #120-2011**

Messrs. Olson and Dooris introduced Res. No. 120 and moved its adoption, all Ayes:

**RESOLUTION TO AUTHORIZE TOWN COUNSEL TO MOVE FOR A DISCONTINUANCE**

WHEREAS, based on the findings related to the Brownell septic issue it is the recommendation of the Zoning Administrator that the Town Board authorize Town Counsel to file a Stipulation of Discontinuance, now, therefore be it

RESOLVED, that the Town Board does hereby authorize Town Counsel to file a Stipulation of Discontinuance so that the action against the Brownell's can be brought to an end.

On another Zoning issue concerning the Morehouse travel trailer, Councilman Olson questioned ZA McMeekin as to whether or not the Town could require Mr. Morehouse to move as it is his understanding that Mr. Morehouse is not living in the trailer. ZA McMeekin advised Councilman Olson that Mr. Morehouse himself told him he was, in fact, living in the trailer. Based on the information ZA McMeekin was given and how this information pertains to the Zoning Ordinance, ZA McMeekin states that Mr. Morehouse is in violation of the Zoning Ordinance.

**New Business:**

- Councilman Hill asked why stairs were being built at Frasier cemetery. Supervisor Bentley told him that people had complained and had asked for stairs to be built to allow for easier access to the cemetery.

On the topic of cemeteries, there were several complaints from the audience regarding the lack of care and maintenance at the Town cemeteries as well as how things were being handled. It was suggested that it may be time for the formation of a Cemetery Committee. Councilman Hill said he would look into these issues further. Councilman Dooris suggested that one person should be "in charge" of the Beautification and Cemetery crew to give them direction rather than them taking directions from numerous people. It was noted that it may be time to hire another person because they keep taking on more and more work. The Board will discuss this further at the workshop meeting.

**Privilege of the Floor:**

- Sylvia Smith asked the Board to institute a policy of no shoveling on the Military monument because the pavers get damaged by the shoveling and the salt.
- Harvey Leidy asked the Board to make a commitment on forming a Community Garden. Councilman Olson asked if a Committee could be put together to work with Harvey and he said he would be willing to serve on the Committee. He asked Harvey to find two other people to serve on the Committee and then they will report back to the Board at the September meeting.
- Councilman Olson asked the Board if he could refer a letter he was given concerning the North Warren Emergency Squad to Town Counselor Schachner for an opinion. He has questions concerning the letter and what it does not address and would like to have a legal opinion on it. The Board advised Councilman Olson to refer this to Town Counselor Schachner for further review.
- In regards to the report given to the Board members at the July meeting concerning the state of the Town roads, Councilman Olson asked HS Smith if anything was being done. HS Smith advises that the Highway crew would be starting T&L the next day at 7:00 am.
- Harry Balz states that maintenance on CR15 is terrible and does not get done until late in the season, yet other County roads that are virtually uninhabited are mowed early on in the season. He asked the Board to request this road be done earlier in the season.
- Harry Balz told the Board that the Zoning and Planning Review Committee has a few Committee members who never show up to meetings. He states that it is not right to leave all of the work to others. Councilman Higgins suggested that replacements be appointed.

**Adjourn...** There being no further business to attend to the meeting was adjourned at 8:20 PM by MOTION of Messrs. Olson and Higgins, all in favor.

Respectfully Submitted:

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Town Clerk